

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF MASSACHUSETTS**

Ina Steiner  
David Steiner  
Steiner Associates, LLC

Plaintiffs

vs.

eBay, Inc., et al.,

Defendants

CASE NO: 1:21-cv-11181-DPW

**AMENDED ASSENTED TO MOTION TO EXTEND TIME AND TO FILE  
CONSOLIDATED OPPOSITION TO MOTIONS TO DISMISS**

Now come the Plaintiffs and respectfully request that this Court grant the Plaintiffs additional time to file oppositions to the Defendants' Motions to Dismiss, to January 31, 2022. The Plaintiffs further move that this Court permit them to file a consolidated Opposition to the Defendants' Motions to Dismiss. In support thereof, the Plaintiffs state the following:

1. Plaintiffs filed the Complaint on July 21, 2021.
2. Each of the Defendants requested additional time to file a responsive pleading.
  - a. Defendant Harville filed an Answer on October 28, 2021. Defendant Wenig filed a Motion to Dismiss that same date.
  - b. The following Defendants filed Motions to Dismiss on October 29, 2021: (1) eBay; (2) Defendant Wymer; (3) Defendant Gilbert; and (4) Defendant Cooke.
  - c. Defendant Baugh filed a Motion to Dismiss on November 5, 2021.

- d. This Court granted Progressive Force Concepts to November 12, 2021 to file its responsive pleading.
  - e. This Court granted Defendants Popp and Stockwell to November 29, 2021 to file their respective responsive pleadings.
  - f. Counsel for Plaintiffs anticipates Defendant Zea will also seek additional time to file a responsive pleading.
3. Many of the Defendants raise similar arguments and challenges to the Complaint.
  4. Given the overlap in issues between the Motions to Dismiss, the Plaintiffs seek permission to file a consolidated opposition.
  5. Due to the fact that Plaintiffs will be responding to several Motions to Dismiss, and because counsel for the Plaintiffs recently completed a month long murder trial in Suffolk Superior Court in Commonwealth v. Rasheem Christian, 1584CR10385, additional time is necessary to adequately review to Defendants' motions, and draft an opposition.
  6. Given that two of the Defendants will not be filing a responsive pleading until November 29, 2021, the Plaintiffs request additional time to file the Opposition, to January 31, 2022.
  7. Counsel has conferred with counsel for each of the Defendants, and all Defendants assent to this motion.

Wherefore, the Plaintiffs request that this Court grant this motion, and permit the Plaintiffs to file a consolidated Opposition, and additional time to January 31, 2022.

Respectfully submitted,  
INA AND DAVID STEINER  
By their attorneys,

/s/ Rosemary Curran Scapicchio  
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DATED: November 10, 2021

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each party and upon any party appearing pro se by complying with this Court's directives on electronic filing.

Dated: November 10, 2021

Signed: /s/ Jillise McDonough